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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : EDWARDS et al. Confirmation No: 3037
Appl. No. : 09/508,512
Filed : March 24, 2000
Title : SELECTIVE MONITORING OF TRITIUM-CONTAINING SPECIES IN A GAS

TC/A.U. : 1743
Examiner : L.I. Cross

Docket No.: : EDWA3001/REF
Customer No: : 23364

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AUG 13 2004

OFFICE OF PETITIONS

2004 JUL 19 AM 10:55

2004 AUG 12 PM 12:01

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REQUEST TO CHANGE STATUS OF APPLICATION
FROM SMALL ENTITY STATUS
TO LARGE ENTITY STATUS UNDER 37 CFR § 1.28(c)

OIPE/JCWS

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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1229.00 OP

Sir:

The present application was filed on March 24, 2000 and the statutory filing fee in the amount \$591.00 for a small entity was paid. This amount was one half the full statutory fee of \$1,182.00 which included extra claims fees. The fee was paid by check on March 24, 2000, when the application was filed. The amount for a small entity was paid by the undersigned attorney on the basis of an indication that small entity status applied in the filing instructions from the British law firm instructing the undersigned attorney to file this application. The incorrect fee for a small entity was paid in good faith. The difference in the amount paid for small entity and the amount now owed is **\$671.00**.

In addition, on August 23, 2002, the undersigned file a Petition for a One Month Extension of Time and an additional claims fee in the amount of \$73.00. The difference in the amount paid for the additional claims fee and the extension fee and the amount now owed is **\$73.00**.

On May 5, 2003, the undersigned filed a Petition for a Three Month Extension of Time in the amount of \$465.00. The difference between the small entity fee paid then and the amount now owed is **\$485.00**. Therefore, the total amount of government fees

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for the difference in payments made for small entity and what is owed now for large entity is **\$1,229.00**. A check in the amount of \$1,229.00 is enclosed herewith. It is believed that no further fees are required, however, if further fees are deemed necessary, please charge any additional fees required to Deposit Account No. 02-0200. A duplicate copy of this paper is attached.

The error noting that the small entity status should not have been applied was received in the undersigned's Office by facsimile on June 4, 2004. An officer of the European Commission representing the European Community signed a small entity declaration because he had been informed by the European patent agents that the Research Centres owned by the European Community can be considered as non-profit organizations within the meaning of the small entity declaration. However, the British law firm now handling this application indicates that under U.S. law, government organizations, including government research facilities or other government-owned corporations are excluded from qualifying as non-profit organizations. There was a mistake in filing the application as small entity and the fees paid for small entity were paid in good faith but through error.

Accordingly, it is most respectfully requested that the status of the application be corrected in the USPTO data base and the correct status of the applicant as a large entity be reflected in this application.

Respectfully submitted,
BACON & THOMAS, PLLC

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ReqtoChngFeeStat.wpd

July 16, 2004